



Missouri Board for Architects,  
Professional Engineers, Professional Land Surveyors  
and Landscape Architects

# *Dimensions*

VOLUME 2, ISSUE 2

DECEMBER, 2002

## **CHAIRMAN'S LETTER**

By: James S. Anderson, PLS

As many of you know most state agencies, including the Board, have experienced some financial difficulty over the past couple of years. You are probably also aware of the fee increases and the changing of renewal dates that have taken effect to help with the problem. I felt it was important to let you know of the other changes being made to save money and to provide better service.



In the past, the volume of complaints the Board dealt with was too large to be investigated by the Board's staff investigator. To meet the demand, the Board often hired contract investigators. Because we have successfully resolved many of the complaints, the demand for investigations has decreased. We are now in a position where most investigations can be done by the staff investigator, reducing the total cost for investigations. The Board has always appreciated the professional and thorough

job done by the contract investigators and will continue to use them when certain expertise is required, or when the volume of investigations would necessitate such action.

In the past year, the Board has contracted with the National Council of Examiners for Engineers and Surveyors and with the Council of Landscape Architectural Registration Boards to administer our licensing examinations. Much of the Board's resources have been expended in administering the exams. Having the exams administered by the organizations will save the Board about \$20,000 per year and relieve the Board of providing security for the exams.

One of the expenses of the Board's four regular meetings per year is providing copies of the agenda items and complaint files for the Board members and staff. The agenda items and complaint files combine to create a stack of papers between 8 and 10 inches thick. The cost of providing copies of all this information for 14 board members, staff, and attorneys has been about \$2,500 per meeting. At the August 2002 meeting, the Board took what we hope will be the first step in reducing this cost. At

that meeting, materials were provided to the Land Survey Division in digital format. During

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the meeting, the Land Survey Division Members reviewed the files from a laptop computer. Our Board is the first board within the Division of Professional Registration to have meeting materials supplied digitally. There are a few bugs that need to be worked out, but within three to six months I expect our meetings will be "paperless".

While these are some of the more significant changes, please be aware that the Board has made numerous other changes to control our costs. Since the Board is funded solely from your license fees, I felt it was important to inform you of our efforts and to thank Judy, our Executive Director, the Board staff, and the Division of Professional Registration. It is their constant dedication and efforts that have made these changes possible.

## ARCHITECTURAL DIVISION LETTER

By: Stuart Scroggs,  
Division Vice-Chair



Civil Penalties - has the time come? First, perhaps some registrants might need to be reminded exactly what civil penalties are. When adopted by the legislature, civil penalties will allow the registration board to impose monetary fines on both regis-

trants and non-registrants for Chapter 327 violations.

The Board has reviewed and taken action on a number of complaint cases where a majority of Board Members would have liked to have had the option of imposing civil penalties. Specifically, many complaint cases deal with non-registrants practicing architecture and engineering. It seems that a good portion of these cases often deal with contractors, day care facilities and churches practicing architecture and/or engineering without the use of licensed professionals. Regarding licensed practitioners, civil penalties could be imposed to stiffen discipline for a host of reasons, such as Code of Professional Conduct issues (misrepresentation, fraud, forgery, misconduct, incompetence, gross negligence, etc.), architects practicing engineering, engineers practicing architecture, lack of immediate personal supervision, etc.

We believe that civil penalties will accomplish a number of things: 1) help to lessen the unauthorized practice of architecture and engineering by non-registrants; 2) help to promote proper practice among registrants; 3) better the life safety and welfare of the public by the increased use of licensed professionals; 4) decrease the amount of repetitive complaints now being generated; and, 5) increase awareness and education of the above issues by word of mouth and through our licensed professionals.

Unlike a number of other states, Missouri has never adopted civil penalties. Previous attempts at civil penalty legislation have never been successful. As we enter the new legislative 2003 year, it now appears there is a window of opportunity for renewing the effort to adopt civil penalties. The professional societies are now in the early stages of banding together to form a united effort to pass legislation. We encourage you to assist in the effort to pass civil penalties by joining in the effort with your professional society and informing your state legislator when you have the chance to make personal contact. Has time come to enact civil penalties...we believe the answer is yes.

## PROFESSIONAL ENGINEERING DIVISION LETTER

By: Josephine L. Emerick,  
Division Chair



The Professional Engineering Division of the Board would like to congratulate all of the newly licensed PE's. Licensure is the mark of a professional and the licensure process demands an extra measure of competence and dedication. Licensure is an indicator of dedication to integrity, hard work, and creativity, and an assurance that the individual

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engineer has passed at least a minimum screen of competence.

They will now join the other licensed engineers in the State of Missouri in protecting the health, safety and welfare of all in Missouri. These newly licensed engineers were honored in a ceremony sponsored by the Missouri Society of Professional Engineers, in the Rotunda at the Capital Building in Jefferson City.

As part of this ceremony, the newly licensed engineers, along with all of the other engineers in attendance, recited the Engineers' Creed. The Engineers' Creed was developed in response to a desire for a short statement of philosophy of service, similar to the Hippocratic Oath for medical practitioners, that could be used in ceremonies or in recognition of individuals. The Creed has been used since its approval in June 1954 in NSPE officer installation ceremonies, licensure certificate presentations, and engineering school graduations. For those of us who have not recently reviewed the words of the Creed, it follows:

### **The Engineers' Creed**

As a Professional Engineer, I dedicate my professional knowledge and skill to the advancement and betterment of human welfare. I pledge:

- To give the utmost of performance;
- To participate in none but

honest enterprise;

- To live and work according to the laws of man and the highest standards of professional conduct;
- To place service before profit, the honor and standing of the profession before personal advantage, and the public welfare above all other considerations.

In humility and with need for Divine Guidance, I make this pledge.

### **Code of Conduct**

When each one of us completed the renewal for our professional engineer's license, we were required to certify that we were familiar with the latest edition of the Missouri Regulations and Rules regulating our practice. Chapter 2 of the Board Rules is the "Code of Professional Conduct" (4CSR30-2.010). The purpose of this rule is to establish a professional code of conduct for architects, professional engineers and land surveyors. Although a large number of the complaints received and reviewed by the Board relate to the practice by unlicensed persons, an equal, if not greater, number of complaints relate to the practice by licensees. The number of these complaints would diminish if we all practiced in accordance with the "Code of Professional Conduct". Following is the Preamble from the NSPE Code of Ethics for Engineers, another guideline for our practice:

### **Preamble**

Engineering is an important and learned profession. As members of this profession, engineers are expected to exhibit the highest standards of honesty and integrity. Engineering has a direct and vital impact on the quality of life for all people. Accordingly, the services provided by engineers require honesty, impartiality, fairness and equity, and must be dedicated to the protection of the public health, safety, and welfare. Engineers must perform under a standard of professional behavior that requires adherence to the highest principles of ethical conduct.

### **Volunteer for the NCEES Examination Development Committees**

NCEES examinations are developed one question at a time by volunteer licensed professionals. These professionals, some of whom are recently licensed, others in mid-career, and some in late career or retirement, come from consulting, industry, government, and education. All are motivated by the desire to contribute to the integrity of their professions through developing high-quality licensing examinations.

Volunteers participate on examination development committees. During the committee meeting, volunteers write and review questions and solutions. Others "practice" questions relevant to the knowledge requirements of a

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licensed engineer or land surveyor. NCEES currently produces 19 engineering examinations and 2 land surveying examinations.

All committee volunteers can earn professional development hours for the time spent working on examinations, which would be acceptable in Missouri. NCEES provides travel, meals and lodging reimbursement for Group I exams. Group II PE exams are reimbursed by sponsoring professional societies according to their funding policy.

If you would like to speak to someone regarding volunteer opportunities, call NCEES at 800-250-3196 and ask for the Technical Assistant for your discipline or go to the Volunteer Interest Form at [www.ncees.org](http://www.ncees.org).

### **Accreditation of Engineering Programs**

The Division would also like to recognize the Joint Undergraduate Engineering Program offered by the University of Missouri-St. Louis (UMSL)/Washington University. The program, primarily for non-traditional students, recently received ABET accreditation for the Civil, Electrical and Mechanical undergraduate engineering degree programs. As noted in an article in the St. Louis Post Dispatch, this accreditation is an important step for their students to become licensed as professional engineers.

NCEES is promoting the use of the Fundamentals of Engineering (FE) examination as a tool for outcomes assessment. This assessment is used in the Accreditation Board for Engineering and Technology's (ABET) evaluation of engineering programs. NCEES representatives stress that "if most engineering schools encouraged or required senior students to attempt the FE exam, it would go a long way toward promoting licensure and increasing the number of engineering graduates who become licensed". The NCEES white paper "Using the Fundamentals of Engineering (FE) Examination to Assess Academic Programs" can be obtained by contacting the Board office.

### **Computer Generated Seals/Signatures**

In response to a number of inquiries, the PE Division, along with the rest of the Board has been reviewing the issue of computer generated seals and/or signatures. Included are those affixed to documents through the use of CAD programs and digital methods. This is an issue that has received a lot of attention with NCEES and other state licensing boards. One of the main concerns is the ability to authenticate the electronically transmitted document providing the same protection to the public and the licensed professional as provided by the wet ink seal and original signature.

The Board developed a draft rule that would allow computer gen-

erated seals and signatures. This draft rule was sent to the Missouri Society of Professional Engineers, American Institute of Architects-Missouri and the Missouri Society of Professional Surveyors, the professional associations representing our licensees in May 2002. Our Board asked each of these associations to review and comment on the draft rule change. The comments received indicated a number of concerns with the acceptance of computer generated seals and signatures, so the Board will continue to work on addressing this issue.

**Please remember that Missouri's current rules and regulations require the use of a personally affixed rubber stamp or seal, along with an original signature and the date.**

## **LAND SURVEYING DIVISION LETTER**

By: Thomas J. Mathis,  
Division Chair

Have you ever heard a fellow practitioner complain that we surveyors are just not paid in accordance with our education and experience, and are not accorded the respect due a true professional? After all, the argument goes, we are uniquely qualified with more



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than just a spattering knowledge of geometry, geodesy, law, technology, dendrology, history, archeology, and maybe even psychology. We're researchers and detectives, measurers and mathematicians, mappers and expert witnesses. What we do has a direct impact on the property and welfare of the general public. Why then, are we not remunerated like other professionals, namely doctors and lawyers?

The obvious answer is that we can only be treated as professionals when we are *accepted* as professionals. And surveyors, like anybody else, can receive the high esteem of society only if we earn it. In the last newsletter we talked briefly about the long road Missouri surveyors have traveled toward this illusive concept called *professionalism*, but what exactly is in the pot at the end of the rainbow? Or, what exactly is a *profession*? We'll answer our own question by defining a *profession* as an organization comprised of dedicated individuals uniquely qualified by education and experience to provide specialized services to society, and from whose ranks the unworthy and incompetent are rigidly excluded. In other words, for any vocation to be a true profession, it's members must have (1) organization (licensing boards and professional societies); (2) specialized education; (3) meaningful experience; and, (4) a means of excluding those who don't meet the standards set by it's mem-

bers.

In general it's the professional societies, the licensing board and the legislature who make the profession's laws and promulgate the standards of care. The colleges and their academicians are responsible for educating those entering the profession, and the industry itself provides the necessary experience. Not just anybody can decide to be a surveyor and hang up his shingle the next day, otherwise we would soon cease to be a profession and become mere laborers.

As professionals, we are bound by a Code of Professional Conduct (4 CSR 30-2.010) which reminds us that our "primary obligation is to protect the life, health, property and welfare of the general public". That means not only must we strive to provide professional services that meet the highest standards of care, but we must also put the public's welfare above everything else. The public's perception of us, then, is a reflection of our own dedication and commitment to the public. Too often we get caught up in our day-to-day struggle to survive and earn a living, and let the little things - those small details which separate adequate performance from a truly professional job - slip through the cracks. We all work hard to keep abreast of the expanding technology, the latest laws and industry standards. We struggle to provide the best equipment possible, find the best helpers we can, pay them well, and research (and field search), and collect ample data, and

check (and double check) our work. And on top of that, sometimes we find that we must eat part of our fees for no good reason, or spend money on lawyers to defend us when we haven't done anything wrong, or struggle to keep up with escalating insurance costs, all in the presence of a competitor who seems to style his business after Wal Mart. How can we possibly find the time to promote professionalism?

I believe that the better question is *how can we afford not to?* If we don't strive to project a professional image, how can we expect the general public to treat us as professionals? We can start by gaining the confidence of our fellow professionals - even though they may be our competitors - even though we've been butting heads for years. We must be willing and able to share information, and by first setting the example, expect others to emulate it. Become involved in your professional societies, for only by banding together can we have the voice to make legislative change. We can seek to improve our work product by assuring that all our surveys rigidly meet the current *Minimum Standards*. We must serve as an example to those who are learning under us - be mentors. And we must overcome the surveyor's tendency to under-communicate with our clients. Too often the Board sees complaints filed which would have been avoided if the professional had better explained things to his/her client.

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And maybe, just maybe, when we've accomplished all these things, the public will come to realize that the guys driving the pins and drawing the plats are truly reliable professionals and be a bit more willing to pay us what we're worth!

## **LANDSCAPE ARCHITECTURAL DIVISION LETTER**

By: Robert N. Hartnett,  
Division Chair



Since my last writing, Governor Holden has appointed Jerany Jackson as the third

member of the Landscape Architectural division. Jerany is from the Springfield area, and was able to join us for the August meeting in Blue Springs. Patti and I are glad to have her on board. And while we are welcoming a new member, I would like to also thank the members of the former Missouri Landscape Architectural Council for their service to Missouri and the Landscape Architecture profession. For most of my tenure on the Council beginning in 1997, Bob Stubblefield served as the Council Chair, Kathy Williams served as one of the professional members, and Keith Clouse was the Public Member. These individuals volunteered a lot of

their time as a service to you, so the next time you see one of them, thank them for their service.

One of the most frequently asked questions that I have received since being appointed to this Board is about having a seal. It appears that during the drafting of the new legislation, the Landscape Architects were accidentally omitted from Section 327.411 of the law that details the seal requirements for Architects, Professional Engineers and Professional Land Surveyors. The correction of the oversight was in some clean up legislation during the last legislative session. That bill did not make it through the legislature due to some controversial language dealing with a non-design-based profession. At this time, there are plans for reintroducing the correction as a part of the coming legislative program (see the proposed rule on pages 18-20). However, a review of the statute by Assistant Attorney General Keith Halcomb, indicates that a seal is allowable, but not mandatory at this point in time. Current licensees should look for a letter of authorization from the Board in the near future regarding obtaining a seal.

The LA Division has been having some recent discussions on the necessity of the state added plant material identification to the Landscape Architectural Registration Exam (LARE). The Council of Landscape Architectural Registration Boards (CLARB) has indicated

that only nine states currently administer a plant ID exam, with Kansas and Missouri being the only two states in the Midwest. We are discussing modifying the state add on exam to include areas that represent Landscape Architects in today's world. Current ideas include questions that test for minimum knowledge in areas such as Missouri registration law, stormwater, erosion control, environmental issues, soils, and plant materials knowledge. I would be interested in hearing your thoughts on the change. Please feel free to drop me a line on this or any other subject.

## **DISCLAIMER**

**The articles in this newsletter are the work and opinion of the individual authors and do not necessarily reflect the official opinion or position of the Board.**

## **SURVEYOR OF THE YEAR**

The Missouri Society of Professional Surveyors presented the "Missouri Surveyor of the Year" award to James (Jim) S. Anderson at its banquet held in conjunction with the annual meeting at Union Station in St. Louis, Missouri on September 20, 2002. The award is in recognition of the recipient's contributions to the profession of Land Surveying and the Society.



**Congratulations, Jim!**

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## **JERANY L. JACKSON** **New Landscape Architect Member of the Board**



Jerany Jackson, Studio Leader for Planning and Development Studio with Butler, Rosenbury & Partners, Inc., located in Springfield, Missouri, has been appointed by Governor Bob Holden to serve as a member of the Landscape Architectural Division of the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors and Landscape Architects. Ms. Jackson's appointment went into effect on June 18, 2002.

Ms. Jackson has been licensed as a landscape architect in Missouri since October 31, 1995. She graduated from the University of Arkansas School of Architecture and received a Bachelor of Landscape Architecture degree in 1992. Throughout her professional career, she has assisted a number of communities in obtaining various types of funding by writing grants. Some of the projects and the funding mechanisms awarded range from \$75,000.00 to a development value of \$6,000,000.00. She is active with the Vision 20/20 Springfield Comprehensive Plan, the Contractor's Association and the American Society of Landscape Architects, for which she has served as Chair/Secretary of the Springfield Missouri Section Prairie Gateway Chapter since 1996.

Missouri statute provides that Board Members shall serve a term of four years or until his/her successor is appointed by the Governor. Ms. Jackson was appointed on June 18, 2002. Ms. Jackson, along with Robert (Bob) Hartnett and Patti Banks, are the very first landscape architect members to be appointed to this Board.

## MESSAGE FROM DIVISION DIRECTOR



My office has been working diligently, through team input and much planning, to develop an optical imaging system that will meet the needs of the Division. I'm glad to report that we have implemented the new optical imaging system and the boards have been trained on how to use the system. They are now using the system and have the ability to scan daily mail received or other paper files and documents maintained in the board office. The boards will each determine what documents are to be scanned.

We also held the 2002 Board Member Orientation and Update. The event was held September 25 - 26 and was a great success. We had 150 attendees and covered many topics of interest to the boards.

Please stay tuned as we continue to improve the services provided by the Division.

Yours Truly,



Marilyn Taylor Williams  
Division Director

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## CALENDAR OF EVENTS

### **February 2, 3 & 4, 2003**

Board Meeting-Jefferson City, Missouri

### **March 1 & 2, 2003**

CLARB Regional Meeting-Austin, Texas

### **March 13, 14 & 15, 2003**

NCARB Regional IV Meeting-Columbus, Ohio

### **April 3, 4 & 5, 2003**

NCEES Central Zone Meeting-Orlando, Florida

### **April 11, 2003**

Professional Engineers and Professional Land Surveyors Examinations-Columbia, Missouri

### **April 12, 2003**

Land Surveyor-in-Training Examination-Columbia, Missouri

### **April 12, 2003**

Engineer-Intern Examination-Rolla & Columbia, Missouri

### **May 4, 5 & 6, 2003**

Board Meeting-St. Louis, Missouri

### **June 25, 26, 27 & 28, 2003**

NCARB Annual Meeting-San Antonio, Texas

### **August 13, 14, 15 & 16, 2003**

NCEES Annual Meeting-Baltimore, Maryland

### **August 24, 25 & 26, 2003**

Board Meeting-Kansas City, Missouri

### **September 11, 12 & 13, 2003**

CLARB Annual Meeting-Salt Lake City, Utah

### **November 2, 3 & 4, 2003**

Board Meeting-Springfield, Missouri



## BOARD STAFF

Routing your calls to the numbers below will allow our staff to better assist you by answering questions about the areas they handle. You may also leave a message on our voice mail if we are unavailable and we will return your call promptly.

### Call                      For Information On:

Debbie Thompson (573) 751-0047 General information questions, application packet requests, renewals, reinstatements, reregistrations and seal authorizations.

Nancy Plaster (573) 751-0050 Application status, licensure qualifications, foreign degree evaluations and examinations for professional engineers. Application status and licensure qualifications for engineering corporations.

Jan Gilliam (573) 751-0049 Application status, licensure qualifications, foreign degree evaluations and examinations for architects and engineer-interns. Application status and licensure qualifications for architectural corporations.

Karen Payne (573) 562-9933 Application status, licensure qualifications, and examinations for land surveyors, land surveyors-in-training and landscape architects. Application status and licensure qualifications for land surveying and landscape architectural corporations. Verifications for architects, engineers, land surveyors and landscape architects. Preapproval of land surveying PDU activities.

Robin Moses (573) 751-0046 Accounts payable and receivable.

Tammy Weber (573) 751-0800 Requests for complaint forms, Board Member Listings and address changes.

Sandy Robinson (573) 751-1055 Board meeting dates, agendas and minutes, loan deferments and certifications. Continuing Education inquiries for Professional Engineers.

Mike Perry (573) 751-1056 Investigations and complaint inquiries. Questions pertaining to Chapter 327 RSMo and the Board Rules.

Judy Kempker (573) 751-0047 Executive Director and Official Custodian of Records.

## 2003 OFFICE CLOSING DATES

Our offices will be closed on the following dates:

New Year's Day	January 1, 2003
Martin Luther King Day	January 20, 2003
Lincoln Day	February 12, 2003
Presidents' Day	February 17, 2003
Truman Day	May 8, 2003
Memorial Day	May 26, 2003
Independence Day	July 4, 2003
Labor Day	September 1, 2003
Columbus Day	October 13, 2003
Veterans Day	November 11, 2003
Thanksgiving Day	November 27, 2003
Christmas Day	December 25, 2003



## MOST FREQUENTLY ASKED QUESTIONS

The Board receives numerous requests for clarification as to the Board's understanding of Chapter 327 RSMo specifically as it relates to the sealing of architectural and engineering documents. The Board's response to the most frequently asked questions is being published for your review. Please understand that the Board has attempted to advise you of what the statute and regulations have to say about the subject in question and to then provide you with the Board's understanding of the language. The Board has responded in a generic fashion based upon a cross-reference of the statute and rule language for each question asked. The Board is hopeful that this information will be of some assistance to you.

**QUESTION #1:** *May either an architect or professional engineer prepare, seal and sign drawings for exempt buildings such as a single-family dwelling when the municipality or local jurisdiction utilizes a requirement for professional seals more restrictive than state law?*

**ANSWER:** Jurisdiction of the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors and Landscape Architects is confined to Chapter 327 RSMo and the Code of State Regulations relating to the practice of architecture, professional engineering, land surveying and landscape architecture.

Pursuant to Section 327.101(5)(a), any person can render architectural services in connection with the construction, remodeling or repairing of a privately owned dwelling house so long as that person indicates on the drawings and other documents that he/she is not a licensed architect. There are occasions when local code is more restrictive than state law. Therefore, it is possible that one might be denied a building permit because of failure to comply with local code while at the same time, there is no violation of state law.

**QUESTION #2:** *May an unlicensed individual do engineering design for an exempted building if he/she has the technical expertise for the scope of work involved?*

**ANSWER:** Exempted buildings are referenced in

Section 327.101, which is the section of law that addresses the prohibition against the unlicensed practice of architecture. In this section, several specific kinds of buildings are named as being exempt from the requirement that they be designed by an architect. A list of buildings like this however is not found in Section 327.191, which is the section of law that addresses the prohibition against the unlicensed practice of engineering. Therefore, although it is not necessary for an architect to design those buildings which are found among the exemptions, the engineering for those buildings may still need to be performed by a professional engineer. Just because a building may be exempt from requiring an architect does not necessarily mean that it is exempt from requiring a professional engineer.

Pursuant to Section 327.191 RSMo, unlicensed individuals may render professional engineering services as follows:

(A) An unlicensed person may render engineering services if he/she is an employee of a person holding a currently valid license as a professional engineer or if he/she is an employee of a person holding a currently valid certificate of authority under Chapter 327 RSMo and only if such person performs the professional engineering work under the direction and continuing supervision of and is checked by one holding a currently valid license as a professional engineer under Chapter 327 RSMo;

(B) An unlicensed person may render engineering services if he/she is a regular full-time employee of a person, who performs professional engineering work for such employer if and only if all such work and service so performed is done solely in connection with a facility owned or wholly operated by the employer and occupied or maintained by the employer of the employee performing such work or service;

(C) An unlicensed person may render engineering services if he/she is a full-time regular employee of a person engaged in manufacturing operations so long as the engineering rendered by such person relates to the manufacture, sale or

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## MOST FREQUENTLY ASKED QUESTIONS (CONTINUED)

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installation of the products of such employer;

(D) An unlicensed person may render engineering services if he/she is a currently licensed architect and performing only such engineering work as is incidental and necessary to the completion of architectural work being lawfully performed by such architect.

There are not any provisions in Chapter 327 RSMo whereby an unlicensed person can perform engineering design unless that person specifically falls under one of the exempt categories listed above in subparagraphs A-D, regardless of whether a person possesses technical expertise.

**QUESTION #3:** *Can a farm building ever be considered a nonexempt building that requires a professional's seal? For example, what about buildings such as grain elevators, covered produce stores, greenhouses, and horse stables and riding arenas open to the public?*

**ANSWER:** Section 327.101(5)(e) RSMo states that "A building or structure used exclusively for farm purposes" is exempt from requiring design by a licensed architect. One would have to know for what specific use the building was intended before an opinion could be rendered as to whether it qualifies as a building "used exclusively for farm purposes." This would need to be looked at on a case by case basis.

**QUESTION #4:** *Must an architect always be involved in the design of a new building or building addition that is non-exempt under (5)(c) or (5)(d)? For example, buildings such as a self car wash, greenhouse, mini-self storage facility, small pre-engineered industrial or storage structure may be primarily engineering with little architectural work.*

**ANSWER:** In order to determine whether an architect must be involved in the design of a new building addition, one must evaluate the project in light of all the exemptions listed under 327.101 and not just those projects listed in (5)(c) and (5)(d). However, if

indeed this project is primarily engineering with little architecture involved, perhaps it might qualify as exempt under 327.101(3). If, after evaluation, it appears that the project in fact falls outside the scope of all the exempt categories, an architect would need to be involved in the design pursuant to 327.101.

**QUESTION #5:** *May an architect review and seal professional work prepared by the architect's unlicensed consultant if he coordinates and supervises its preparation and intends to be responsible for its adequacy?*

**ANSWER:** The Board isn't certain as to what is meant by "review" in this question. The question is also vague with respect to the precise working relationship that exists between the architect and his/her "unlicensed consultant." For this reason, the Board is not able to offer a "yes" or "no" response to this question. Since the question appears to be lacking certain pertinent facts, your attention is called to the following sections of statute and Board Rules which clearly sets forth the criteria for the sealing of documents by an architect.

Section 327.411 RSMo states in part that an architect is not to affix his/her seal to plans, specifications, drawings, or reports which have not been prepared by him/her or under his/her immediate personal supervision, etc. as it currently reads. "Immediate personal supervision" is defined in 4 CSR 30-13.010, which reads as follows:

"Plans, specifications, drawings, reports, engineering surveys or other documents will be deemed to have been prepared under the immediate personal supervision of an individual registered with the board only when:

(1) The client requesting preparation of plans, specifications, drawings, reports, engineering surveys or other documents makes the request directly to the individual registered with the Board or an employee of an individual registered with the Board, so long as the employee

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## MOST FREQUENTLY ASKED QUESTIONS (CONTINUED)

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works in the registered individual's place of business and not at a separate location;

(2) The individual registered with the board shall supervise each step of the preparation of the plans, specifications, drawings, reports, engineering surveys or other documents and has input into their preparation prior to their completion;

(3) The individual registered with the board reviews the final plans, specifications, drawings, reports, engineering surveys or other documents and is able to, and does make, necessary and appropriate changes to them; and,

(4) The plans, specifications, drawings, reports, engineering surveys or other documents shall be signed and sealed per the provisions of Section 327.411 RSMo."

You will note that paragraph (4) states that all documents shall be signed and sealed per the provisions of Section 327.411 RSMo, which reads as follows:

"1. Each architect and each professional engineer and each professional land surveyor shall have a personal seal in a form prescribed by the board, and he or she shall affix the seal to all final documents including, but not limited to, plans, specifications, estimates, plats, reports, surveys, proposals and other documents or instruments prepared by the licensee, or under such licensee's immediate personal supervision, and such licensee shall be held personally responsible for the contents of all such documents sealed by such licensee.

2. The personal seal of an architect or professional engineer or professional land surveyor shall be the legal equivalent of the licensee's signature whenever and wherever used, and the owner of the seal shall be responsible for the architectural, engineering or surveying documents, as the case may be, when the licensee places his or her personal seal on such plans, specifications, estimates, plats, reports,

surveys or other documents or instruments for, or to be used in connection with, any architectural or engineering project or survey.

3. Any architect, professional engineer or professional land surveyor may, but is not required to, attach a statement over his or her signature, authenticated by his or her personal seal, specifying the particular plans, specifications, plats, reports, surveys or other documents or instruments, or portions thereof, intended to be authenticated by the seal, and disclaiming any responsibility for all other plans, specifications, estimates, reports, or other documents or instruments relating to or intended to be used for any part or parts of the architectural or engineering project or survey.

4. Nothing in this section, or any rule or regulation of the board shall require any professional to seal preliminary or incomplete documents."

Regarding sealing requirements, 4 CSR 30-3.020 further states in paragraphs (4), (6) and (7) that:

"(4) In addition to the personal seal or rubber stamp, the architect shall also affix his/her signature on and through his/her seal, and place the original date under the seal, at the minimum, to the original of each sheet in a set of plans, drawings, specifications, estimates, reports and other documents which were prepared by the architect or under the architect's immediate personal supervision..."

"(6) In the instance of one (1) licensee performing design for other licensees to incorporate into his/her documents, each licensee shall seal, date and sign those documents using the appropriate disclaimer for clarification of each licensee's responsibility..."

"(7) The signing and sealing of plans, specifications, reports and other documents or instruments not prepared by the architect or under his/her immediate personal supervision is prohibited."

*Continued on Page 13*



## MOST FREQUENTLY ASKED QUESTIONS (CONTINUED)

*Continued from Page 12*

**QUESTION #6:** *May a professional engineer other than an engineer that has had structural educational training and experience prepare, seal and sign structural calculations and structural drawings?*

**ANSWER:** Professional engineers are not licensed by discipline in the State of Missouri. However, pursuant to 4 CSR 30-2.010(3), "Registrant's shall undertake to perform architectural, professional engineering and land surveying services only when they, together with those whom the registrant may employ or engage as a consultant, are qualified by education, training and experience in the specific technical areas involved.

**QUESTION #7:** *Which design professionals are permitted to design above or below grade swimming pools which are utilized by the public?*

**ANSWER:** This is entirely dependent upon the full scope of the project.

**QUESTION #8:** *Can design professionals request their plans back from the Building or Fire Official and/or withdraw their seals for monetary reasons or because they have lost control or involvement in the project?*

**ANSWER:** Chapter 327 and Board Rules do not address this situation, at least not in the context in which it has been presented. This is probably more of a civil matter rather than a licensure matter. The Board, however, cannot say that a situation of this nature would never lead to actions which are prohibited by statute and Board Rule. It would all depend on the specifics and evidence of that particular case.

**QUESTION #9:** *May an architect schematically show a component or system on his sealed and signed drawings together with a notation that the Mech./Elec./Plumb. is to be design/build by the contractor?*

**ANSWER:** Yes, however unless the contractor is licensed or authorized under Chapter 327 to render engineering services, he/she is not authorized by

law to design the mechanical, electrical and plumbing components or systems. If an architect assists an unlicensed person in the unauthorized practice, the architect could potentially be in violation of Section 327.441 and also 4 CSR 30-2.010.

**QUESTION #10:** *Do design/build projects require that licensed design professionals participate in all aspects of the design and construction of the building and the building systems within? If so, is he/she still required to prepare construction drawings having the content and equivalent level of detail as would otherwise normally be prepared if it were not design/build?*

**ANSWER:** Under Chapter 327 all aspects of design on public buildings must be performed by the appropriately licensed professionals. Chapter 327 however doesn't specify that the design professional must participate in all aspects of the construction. Pursuant to 4 CSR 30-2.010 licensed design professionals are responsible for producing whatever documents are necessary in order to ensure that the safety, health, property and welfare of the public is protected. Licensed design professionals are further obligated to comply with the requirements of local codes and ordinances as they relate to the practice to architecture, professional engineering, land surveying and landscape architecture and to also conform to the ordinary standard of practice adhered to by licensees practicing in this state.

**QUESTION #11:** *Do code comparison, fire and/or life safety project analysis reports prepared by a consultant specializing in code consulting work need to be sealed, signed, and dated when submitted to a Building or Fire Official?*

**ANSWER:** If the "consultant" preparing the report is licensed pursuant to Chapter 327, he/she is required by 327.411 to affix his/her seal and pursuant to 4 CSR 30-3.020 and 4 CSR 30-3.030, he/she must also sign and date his/her seal.

**QUESTION #12:** *Is it acceptable to have multiple seals on a construction document if there is a clear delineation*

*Continued on Page 14*



## **MOST FREQUENTLY ASKED QUESTIONS (CONTINUED)**

*Continued from Page 13*

*of the portions of the document for which each has responsibility? May they have equal joint responsibility if there is no disclaimer?*

**ANSWER:** In the instance of one (1) licensee performing design for other licensees to incorporate into his/her documents, each licensee shall seal,

date and sign these documents, using the appropriate disclaimer for clarification of each licensee's responsibility," [(4 CSR 30-3.020(6) and 4 CSR 30-3.030(6)]. This is not an optional matter under the current rules of the Board. Therefore, not only is it acceptable, it is a requirement. As far as Chapter 327 is concerned, you are responsible for the entire content of the drawing if there is no disclaimer.

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### **MISSOURI BOARD FOR ARCHITECTS, PROFESSIONAL ENGINEERS, PROFESSIONAL LAND SURVEYORS AND LANDSCAPE ARCHITECTS SUCCESSFUL EXAMINATION CANDIDATES NCEES PRINCIPLES AND PRACTICE OF LAND SURVEYING EXAMINATION AND/OR MISSOURI STATE SPECIFIC EXAMINATION APRIL 19, 2002**

Daryn Michael Bernard  
David Thomas Butcher  
Christine M. Capehart  
David P. Clark  
William J. Clark  
Richard L. Dayton  
William B. Eddleman  
Bradley N. Mackey  
David James Naeger

T. Philip Nasalroad  
Jason Scott Roudebush  
Richard J. Ryerson  
Richard Keith Sieckmann  
John Sommers  
Jeffrey Paul Taylor  
Steven Edward Weible  
Matthew T. Williams

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### **MISSOURI BOARD FOR ARCHITECTS, PROFESSIONAL ENGINEERS, PROFESSIONAL LAND SURVEYORS, AND LANDSCAPE ARCHITECTS SUCCESSFUL EXAMINATION CANDIDATES CLARB L.A.R.E. EXAMINATION AND/OR MISSOURI PLANT MATERIALS EXAMINATION JUNE, 2002**

Steven M. Bopp  
Mary F. Deweese  
Matthew J. Maranzana

Ross R. Richardson  
Ronald L. Wilson  
Bradley D. Furfaro

**MISSOURI BOARD FOR ARCHITECTS, PROFESSIONAL ENGINEERS,  
PROFESSIONAL LAND SURVEYORS AND LANDSCAPE ARCHITECTS  
SUCCESSFUL EXAMINATION CANDIDATES  
NCEES PRINCIPLES AND PRACTICE OF ENGINEERING EXAMINATION  
APRIL 19, 2002**

John D Adcock  
Viktor V Alekseyev  
Caleb Brooks Alexander  
Michael Eugene Arbin  
Rodney L Arnold  
Charles Scott Bach  
Derrick Allen Bachtel  
William F Basch  
Anthony Charles  
Beeson  
Daryl Beetner  
Ethan William Begg  
Taliza Franta Bins  
Mark John Bitzes  
Jason M Blomberg  
David S Boren  
Robert O Borik  
David Todd Borowicz  
Nancy A. Bradshaw  
Trent A Brooks  
Ethan D Bryant  
Frederico Guilherme F  
Bueno  
Andrea E Bunch  
William Lewis Burruss III  
Deanna L Byington  
Lance T Cage  
Lance D Chrisman  
John Eric Cierpiot  
Thomas Lee Cissell III  
Charles M Clay  
Kevin V Como  
Mark David Cowell  
William Lee Crady  
Mark E Croarkin  
Tracy Renee Davenport  
Chad Davis  
Jeff R Derrick  
Joel T. Dideriksen  
James L Dove  
Royce Allen Duffett  
Brian Stephen Eads  
Scott William Eason

Laura Susan Ellen  
Ryan Woodward Ellen  
Richard L Ellsworth  
William C Engman Jr  
John Peter Eyermann  
Christi L Farmer  
Paula Annette Gough  
Scott Edward Gough  
John V. Grana  
Jason A Haas  
Andrew David Hager  
Chester Nicholas Hahn II  
Darin R Hamelink  
David Robert Hamilton  
Gary Lee Hazen  
James Scott Heavin  
Eric Henry Held  
Jason Matthew Helmke  
Adam M Holmes  
Garth Michael Horne  
John S Hurley  
Cory Michael Imhoff  
Stanley M Irsik  
Roy Edward Jennings III  
Susan Carol Jones  
Richard E Jost  
Nathan Douglas Kaiser  
Sarah B Kilgore  
Derek Bernhard Koestel  
Jeffrey Frank Kokal  
Lawton Christopher Komo  
Joni Lynn Korte  
Rebecca A Kuhr  
Gregory Louis Kuntz  
Richard E Kwiatkowski  
Mark A Lambros  
Ivan Lee  
Polina Y Levin  
Edward David  
Lightbourn  
Kathleen Marie Liley  
Martin D Lincoln Jr  
Chris Linneman

Steven A Lubinski  
Rachel D Lunceford  
Katrina Suzanne Marx  
Daniel R May  
David Lee McDowell  
Wade McGrady  
Darrell W McMillian  
James E. Megerson  
Terrance (Terry E)  
Edward Moen  
Mark Timothy Moessner  
William T Mooney  
Sarah Mundy  
James B Myers  
Iordanka Anastasova  
Nanovska  
Brian Edward Nelson  
Shawn L Nelson  
Jason Nettleton  
Jerad R Noland  
Angela L Obermeier  
Paul E Owen  
Paul David Parker  
Jarrod R Paul  
Matthew J Peters  
Stephen Timothy  
Peterson  
Anthony Philipscheck  
Edward Howell Phillips  
Bryan E Poettker  
Robert J Rabb  
Bradley A Rackers  
Mitchell Lee Rackers  
Ralph Walter Radka  
Robert Merrill Ray  
Stacy Marie Reese  
Joyce M Reynolds  
Mark Franklin Rieske  
Mark E Rigdon  
P. Lindsay Robertson  
David Paul Roetto  
Danny James Rowatt  
Ryan D Saffels

Diane Ursula Saftic  
Paul Samson  
Dennis Allen Savat  
Kevin C. Schrader  
Joseph Lawrence  
Schroeder  
William L. Schwer  
Jeff Segraves  
Kenneth Allan Shamet  
Shannon David Shank  
Eric Dean Shumate  
Gregory L Smith  
Brian Nick Spencer  
Michael Andrew Spiezio  
Craig Spohr  
Gregory S Tanck  
Michelle Lynn Teel  
James F. Thurman  
Nicole Alexandra  
Tompkins  
Kenneth L Voss  
Steven M. Vrenick  
Amy B. Wagner  
Douglas Alan Waldeier  
Jackson DeWitt  
Waterbury III  
Geoffrey C Weien  
Bei Weng  
John Edward Wulf  
Gary L Young  
Udo Zirn

## EXPANDED WEBSITE

The Board's website, located at [www.ecodev.state.mo.us/pr/moapels](http://www.ecodev.state.mo.us/pr/moapels), has been updated and expanded to provide a more user-friendly format that provides licensees and the public with an easy way to find important information.

You can view the Board's statutes and rules, fee information, examination dates, continuing education information for both engineers and land surveyors, current listing of educational activities that have been pre-approved for Land Surveying PDU credits, complaint forms, previous issues of DIMENSIONS, Board Member names, staff names, links to important sites and other valuable information related to the Board.

All individuals and corporations holding a current license in the professions of architecture, engineering, land surveying and landscape architecture are listed on the Division of Professional Registration's website ([www.ecodev.state.mo.us/pr](http://www.ecodev.state.mo.us/pr)). To check to see if your license or the license of another individual or firm is current and up-to-date, please click on the "Licensee Search" button. This site is updated daily. You can also download listings of licensed architects, architectural corporations, professional engineers, engineering corporations, professional land surveyors, land surveying corporations, landscape architects and landscape architectural corporations at no charge by clicking on the "PR Downloadable Profession Listings" button.

Forms such as "Change of Name" and "Change of Address" are currently available on-line and can be downloaded. Address changes can be mailed, e-mailed or sent by fax to the Board office. Please be sure to type or neatly print changes so that they may be entered into the licensing system correctly. The Board cannot accept address changes over the telephone. Please forward address changes to the attention of Tammy Weber or email changes to [tweber@mail.state.mo.us](mailto:tweber@mail.state.mo.us). **The application forms and instructions are also available on-line.** Applicants can now download the forms and once completed, mail them to the Board office. Applicants will no longer be burdened with finding access to a typewriter. To download these forms, go to:

[www.ecodev.state.mo.us/pr/moapels](http://www.ecodev.state.mo.us/pr/moapels)

Click the appropriate button

Click the information required

You will then be able to download each item (either PDF or Word)

We strongly encourage you to visit our website to see what information is available. The website is updated regularly, so keep an eye out for more applications to be available soon. If you have any questions, please e-mail us at [moapels@mail.state.mo.us](mailto:moapels@mail.state.mo.us).



## THE FOURTH "E"

By: Thomas J. Mathis

Board Members often refer to the elements necessary for professional licensure as the "three-legged stool" (surveyors know it's a tripod), made up of the three E's: **Education, Experience and Examination**. Those seeking to become professional architects, engineers, land surveyors, or landscape architects must have proper training and experience, and be able to demonstrate his/her competence via examinations.

But, there is a fourth E - and that's the one that Board Members find the most difficult to deal with. The fourth E stands for **Enforcement**. Chapter 327 of the Missouri Revised Statutes provides that a practitioner of any of our respective professions be licensed by the state before offering their services to the public, and to facilitate this it created the licensing Board, whose duty is to handle "any matter pertaining to the issuance, probation, suspension, or revocation of certificates of registration ... or pertaining to the unlawful practice of architecture, engineering, land surveying, or landscape architecture." So the Board has the responsibility of not only screening an applicant's credentials and providing the examinations, but also must police the professions against unlawful practice.

This enforcement process begins with the receipt of a complaint. These are usually submitted on forms supplied by the Board and filled out by the complainant. However, any written complaint will be processed, even if it is anonymous. It is also permissible for the Board to direct the executive director of the Board to file a complaint in case the pertinent information is received by other means. Upon receipt of a complaint the appropriate division(s) will review the allegations and try to determine whether or not any of the provisions of Chapter 327 have been violated and whether the violations are consistent and repeated or merely an isolated infraction. Often additional information must be gathered, in which case the complaint is referred to an investigator. The Board has on staff one full time investigator, and has at its disposal contract investigators, some of whom are licensed professionals.

During the investigative phase, the law authorizes the Board to "require by summons or subpoena ... the attendance or testimony of witnesses, and the production of drawings, plans, plats, specifications, books, papers or any document representing any matter under hearing or investigation..." The investigator may interview witnesses, visit and photograph a job site, collect documents, even make measurements. Oftentimes the respondent is summoned to appear before the Board to provide additional information.

If it is determined that further action is necessary, the Board may refer the complaint to the Attorney General's Office for filing of a formal complaint with the Administrative Hearing Commission (AHC). The AHC is a quasi-judicial body made up of three "judges", one of whom will "conduct hearings and make findings of fact and conclusions of law" pertinent to the complaint. Upon a finding by the AHC that the Board has the right to proceed, the case then reverts to the Board to conduct a disciplinary hearing, and to decide what discipline is warranted. During all of these proceedings, the respondent has the right to present his/her side of the story and, of course, he/she always has the right to appeal the decision to the civil courts. Oftentimes, during this process the Board and the respondent may reach a settlement agreement, to the mutual satisfaction of both parties.

So, in the case of a licensee who is repeatedly practicing substandard work, the Board has the responsibility and authority to protect the general public by disciplining the offender by probation, suspension

*Continued on Page 18*

## THE FOURTH “E” (Continued)

*Continued from Page 17*

or revocation of his/her license. On the other hand, if an individual is practicing without a license, the Board has the authority to apply for injunctive relief from "the county in which such conduct occurred or in the county in which the defendant resides". Unfortunately, the course of investigation and due process takes time, and when the local courts are backlogged, a great deal of mischief may be done in the interim. In the case of forgery or fraud, the Board often seeks the aid of other branches of government, such as Consumer Affairs, who may have broader powers.

Many states have been successful in dealing with this issue of non-licensed practice by giving their Boards the authority to levy civil penalties. If a person is practicing without a license it is usually because they are attempting to make money or at the least to avoid paying a licensed professional. So the surest way to discourage this kind of activity would be to fine them an amount large enough to get their attention. There may be a reluctance to give the Board that much authority, for fear that an overzealous Board might abuse the privilege and seek to fatten it's own coffers. To discourage this kind of abuse the monetary penalty could go directly to something like the Crime Victim's Fund, or back to the county in which the offense occurred.

As professionals our primary obligation is to protect the life, health, safety, welfare and property of the general public. And it follows that in order to shield society from those who are dishonest or incompetent (or maybe just lazy). The Board must have the tools necessary to do its job. We have had lengthy discussions regarding civil penalties and, if the opportunity presents itself, should push for the necessary legislation. As a Board Member, I appeal to all our 22,000 licensees to support our efforts to strengthen the fourth leg on the stool - *enforcement*.

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## SNEAK PREVIEW

The Board voted to rescind Board Rule 4 CSR 196-9.010 - Registrant's Identification, and to readopt new language, via Proposed Rule 4 CSR 30-3.050 Licensee's Seal - Landscape Architect, which explicitly describes the format and usage of the personal seal of a landscape architect. Since having a personal seal is something new for licensed landscape architects, a sneak preview of the Proposed Rule is being provided. After the rule is finalized, it will once again be published in the newsletter in final format.

**Title 4 - DEPARTMENT OF ECONOMIC DEVELOPMENT  
Division 30 - Missouri Board for Architects, Professional Engineers,  
[and] Professional Land Surveyors and Landscape Architects  
Chapter 3 - Seals**

**PROPOSED RULE**

**4 CSR 30-3.050 Licensee's Seal - Landscape Architect**

*PURPOSE: This rule describes the format for personal seal of a landscape architect.*

(1) Each licensed landscape architect, at his/her own expense, may secure a seal one and three-quar-

*Continued on Page 19*



## **SNEAK PREVIEW (Continued)**

*Continued from Page 18*

ters inches (1 3/4") in diameter of the following design: the seal may consist of two (2) concentric circles between which shall appear in Roman capital letters, the words, State of Missouri on the upper part of the seal and Landscape Architect on the lower part and within the inner circle may appear the name of the licensee, together with his/her license number preceded by the Roman capital letters LA.

(2) Rubber stamps, identical in size, design and content with the approved seals may be used by the licensee at his/her option.

(3) In addition to the personal seal or rubber stamp, the landscape architect may also affix his/her signature on and through his/her seal, and place the original date under the seal, at the minimum, to the original of each sheet in a set of plans, drawings, specifications, estimates, reports and other documents which were prepared by the landscape architect or under the landscape architect's immediate personal supervision.

(A) When revisions are made, the landscape architect who made the revisions or under whose immediate personal supervision the revisions were made may sign, seal and date each sheet and provide an explanation of the revisions.

(B) On multiple page specifications, estimates, reports and other documents or instruments, not considered to be plans, the landscape architect, when more than one (1) sheet is bound together in one (1) volume, may sign, seal and date only the title or index sheet, providing that the signed sheet clearly identifies all of the other sheets comprising the bound volume. Provided further that any of the other sheets which were prepared by, or under the immediate personal supervision of another landscape architect be signed, sealed and dated as provided for, by the other landscape architect and any additions, deletions or other revisions may not be made unless signed, sealed and dated by the landscape architect who made the revisions or under whose immediate personal supervision the revisions were made.

(4) Plans, when submitted for the review of others such as clients or permit authorities, may be signed, sealed and dated unless clearly designated preliminary or incomplete. If the plan is not completed, the phrase "Preliminary-not for construction" or similar language or phrase may be placed in an obvious location so that it is readily found, easily read and not obscured by other markings. It may be a disclaimer and notice to others that the plans are not complete. When the plan is completed, the phrase "Preliminary-not for construction" or other disclaimer may be removed or crossed-out and the seal holder should sign the cancellation of the disclaimer as a revision to the plan.

(5) In the instance of one (1) licensee performing design for other licensees to incorporate into his/her documents, each licensee may seal, date and sign those documents, using the appropriate disclaimer for clarification of each licensee's responsibility.

(6) The signing and sealing of plans, specifications, reports and other documents or instruments not prepared by the landscape architect or under his/her immediate personal supervision is prohibited.

*AUTHORITY: section 327.041, RSMo Supp. 2001.*

*PUBLIC ENTITY COST: This proposed rule will not cost state agencies or political subdivisions more*

*Continued on Page 20*

## SNEAK PREVIEW (Continued)

*Continued from Page 19*

*than five hundred dollars (\$500) in the aggregate.*

*PRIVATE ENTITY COST: This proposed rule is estimated to cost private entities approximately five thousand three hundred eighty dollars (\$5,380.00) annually for the life of the rule. It is anticipated that the total costs will recur annually for the life of the rule, may vary with inflation and are expected to increase annually at the rate projected by the Legislative Oversight Committee. A detailed fiscal note, which estimates the cost of compliance with this rule, has been filed with the Secretary of State.*

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors and Landscape Architects, P.O. Box 184, Jefferson City, Missouri 65102. To be considered, comments must be received within 30 days after publication of this notice in the Missouri Register. No public hearing is scheduled.*

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## LEGISLATION

As some of you may or may not know, Senate Bill 786 was Truly Agreed To and Finally Passed in the 2002 Session of the Missouri General Assembly. As a result of the passage of this Bill, Chapter 327, RSMo, was amended by adding one new section, known as section 327.465, which reads as follows:

**327.465. 1. As used in this section, the following terms shall mean:**

- (1) "Design-build", a project for which the design and construction services are furnished under one contract;
- (2) "Design-build contract", a contract between the owner, owner's agent, tenant, or other party and a design-build contractor to furnish the architecture, engineering, and related design services, and the labor, materials, and other construction services required for a specific public or private construction project;
- (3) "Design-build contractor", any individual, partnership, joint venture, corporation, or other legal entity that furnishes architecture or engineering services and construction services

either directly or through subcontracts.

2. Any design-build contractor that enters into a design-build contract for public or private construction shall be exempt from the requirement that such person or entity hold a certificate of registration or such corporation hold a certificate of authority if the architectural, engineering, or land surveying services to be performed under the contract are performed through subcontracts with:

- (1) Persons who hold a certificate of registration for the appropriate profession; or
- (2) Corporations that hold current certificates of authority from the board for the appropriate profession.

3. Nothing in this chapter shall prohibit the enforcement of a design-build contract by a design-build contractor who only furnishes, but does not directly or through its employees perform the architectural, engineering, or surveying required by the contract and who does not hold itself out as able to perform such services.

## IMPORTANT INFORMATION REGARDING THE RENEWAL OF ENGINEERING AND CORPORATE LICENSES

**IF YOU HAVE NOT RECEIVED YOUR RENEWAL NOTICE, PLEASE CALL THE BOARD OFFICE AT (573) 751-0047 AS SOON AS POSSIBLE.**

Renewal notices were mailed to all engineers and engineering corporations. Notices were also mailed to all architectural and land surveying corporations that were originally licensed in an even year. These notices were mailed during the first week of October. Therefore, if for some reason, you failed to receive one, please be sure to call us so that a duplicate can be mailed.

- ♦ Renewal notices are mailed as a courtesy to all licensees.
- ♦ The renewal notice is mailed to your address of record on file at the Board office. If you move, it is your responsibility to notify the Board office of your new address promptly so that we can update your record.
- ♦ The Board cannot be responsible for misplaced or mishandled mail.
- ♦ Failure to receive an application for renewal of a license or certificate of authority does not relieve the licensee or certificate holder from their duty to timely renew, nor does it relieve them from the obligation to pay any additional fee(s) necessitated by any late renewal.

Before you return your renewal notice to the Board office, please check the following:

- ♦ Have you enclosed the correct fee?
- ♦ Have you completed all sections?
- ♦ Have you signed the renewal notice?

Renewal applications are not valid unless signed. **Renewal applications that are incomplete or submitted without the correct fee WILL BE RETURNED.**

It is the licensee's responsibility to ensure that the renewal form is completed and returned in a timely manner, even if you have delegated it to an office manager or assistant. The renewal period will end on December 31, 2002. A licensee who fails to renew his/her license by December 31 shall not practice in Missouri on January 1 and thereafter until such license has been renewed. Licensees practicing in Missouri without a renewed license are subject to disciplinary action by the Board.

If you are not sure when your license expires, you can either call the Board office, visit the Division's website and click on "Licensee Search" or look at the 5 x 7 certificate sent the last time you renewed-----it will display your expiration date.



## SEASON'S GREETINGS



The members of the Board and Staff would like to "thank you" for your support throughout the year. We hope that you and your families have a very happy and safe "Holiday Season."

## EXAMINATION DATES AND FILING DEADLINES

**Completed Application for Examination or Re-examination-Rescheduling Application Form must be filed (received) in the Board office not later than the filing deadline, no exception.**

### **FLS (LSIT) Examination Dates**

April 12, 2003  
October 25, 2003  
April 17, 2004  
October 30, 2004  
April 16, 2005

### **Final Application Filing Deadline**

December 1, 2002  
June 1, 2003  
December 1, 2003  
June 1, 2004  
December 1, 2004

### **Re-Examination/Re-Scheduling Filing Deadline**

February 15, 2003  
August 15, 2003  
February 15, 2004  
August 15, 2004  
February 15, 2005

### **PLS Examination Dates**

April 11, 2003  
October 24, 2003  
April 16, 2004  
October 29, 2004  
April 15, 2005

### **Final Application Filing Deadline**

December 1, 2002  
June 1, 2003  
December 1, 2003  
June 1, 2004  
December 1, 2004

### **Re-Examination/Re-Scheduling Filing Deadline**

February 15, 2003  
August 15, 2003  
February 15, 2004  
August 15, 2004  
February 15, 2005

### **FE Examination Dates**

April 12, 2003  
October 25, 2003  
April 17, 2004  
October 30, 2004  
April 16, 2005

### **Final Application Filing Deadline**

December 1, 2002  
June 1, 2003  
December 1, 2003  
June 1, 2004  
December 1, 2004

### **Evaluation Application Filing Deadlines**

December 1, 2002  
June 1, 2003  
December 1, 2003  
June 1, 2004  
December 1, 2004

### **Re-Exam/Re-Scheduling Filing Deadline**

February 15, 2003  
August 15, 2003  
February 15, 2004  
August 15, 2004  
February 15, 2005

### **PE Examination Dates**

April 11, 2003  
October 24, 2003  
April 16, 2004  
October 29, 2004  
April 15, 2005

### **Final Application Filing Deadline**

December 1, 2002  
June 1, 2003  
December 1, 2003  
June 1, 2004  
December 1, 2004

### **Evaluation Application Filing Deadlines**

December 1, 2002  
June 1, 2003  
December 1, 2003  
June 1, 2004  
December 1, 2004

### **Re-Exam/Re-Scheduling Filing Deadline**

February 15, 2003  
August 15, 2003  
February 15, 2004  
August 15, 2004  
February 15, 2005

## **MOVING? PLEASE NOTIFY THE BOARD OFFICE OF YOUR NEW ADDRESS.**

**Name:** \_\_\_\_\_  
**Profession:** \_\_\_\_\_  
**License Number:** \_\_\_\_\_  
**Old Address:** \_\_\_\_\_  
**New Address:** \_\_\_\_\_  
(P.O. Box must be accompanied  
by your physical address) \_\_\_\_\_  
**Signature:** \_\_\_\_\_  
**Date:** \_\_\_\_\_

Mail to:

Missouri Board for Architects, Professional Engineers, Professional Land Surveyors and Landscape Architects  
P.O. Box 184  
Jefferson City, MO 65102

**Governor**  
The Honorable Bob Holden

**Department of Economic Development**  
Joseph L. Driskill, Director

**Division of Professional Registration**  
Marilyn Taylor Williams, Director

### **BOARD FOR ARCHITECTS, PROFESSIONAL ENGINEERS, PROFESSIONAL LAND SURVEYORS AND LANDSCAPE ARCHITECTS BOARD MEMBERS**

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